

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**DOCUSERVE, INC.**

**Plaintiff**

**v.**

**XEROX CORPORATION,**

**Defendant**

**CIVIL ACTION NO. 05-CV-10514-GAO**

**Assented-to Motion to Reschedule Initial Scheduling Conference**

The Defendant, Xerox Corporation ("Xerox") hereby requests that this Court re-schedule the Fed.R.Civ.P. 16(b) and L.R. 16.1 Initial Scheduling Conference in this matter from August 3, 2005 to a date in the afternoon on or after September 8, 9, 12 or 14. As grounds for this motion, Xerox states that:

1. The parties have been engaged in settlement discussions, which are ongoing, and wish to conclude these discussions prior to investing significant resources into the litigation of the matter;
2. Xerox's counsel has a long-standing summer vacation planned for the first two weeks of August; and
3. The Plaintiff has assented to the rescheduling of the Initial Scheduling Conference, and the parties have conferred regarding their joint availability which is reflected in the dates referenced above.

WHEREFORE, Xerox respectfully requests that this Court:

- A. Reschedule the Initial Scheduling Conference to a date in the afternoon on or after September 8, 9, 12 or 14;
- B. Grant such other and further relief as this Court deems just and appropriate.

Respectfully submitted,

XEROX CORPORATION

By its attorneys,



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Assented to,

DOCUSERVE, INC.

By its attorneys,



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Dated: July 8, 2005

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